



UNITED STATES DISTRICT COURT

Western District of Texas

U.S. Pretrial Services Office

March 31, 2022

Austin Supervisor

Amanda R. Ceballos

Carlos J. Urrutia

Chief U.S. Pretrial Services Officer

Antonio Acosta

Deputy Chief

Ivonne Acosta

Assistant Deputy Chief

Reply to:

501 West 5th Street
Suite 3200
Austin, Texas 78701

United States Magistrate Judge Susan Hightower
United States Courthouse
501 W. 5th Street
Austin, Texas 78701

RE: Shawn Malmquist
CASE NO.: 1:21CR00048-012
BOND VIOLATION – NO ACTION REQUESTED

Honorable Magistrate Judge:

On May 21, 2021, Shawn Malmquist was released by the Honorable Susan Hightower, U.S. Magistrate Judge on conditions of release with pretrial supervision. The defendant is pending criminal action for violation of Title 21 U.S.C. § 846 and 841(b)(1)(B) Conspiracy to Possess with Intent to Distribute and Distribution of a Controlled Substance, Methamphetamine.

On February 28, 2022, the defendant submitted a urine specimen which revealed positive results for amphetamine. On March 10, 2022, the defendant was confronted with the results and initially denied use of an illicit drug. He admitted to consuming Vyvanse, a medication used to treat attention deficit hyperactivity disorder (ADHD) and is known to contain amphetamine. The medication is prescribed to his nephew. The defendant was admonished for the illegal use of a controlled substance that was not prescribed to him and was advised that this specimen would be submitted for confirmation testing. On March 29, 2022, this specimen was confirmed positive for methamphetamine.

On March 16, 2022, the defendant submitted a urine specimen which revealed positive results for amphetamine. On March 29, 2022, the defendant was confronted with the results and admitted to using methamphetamine before testing on March 16, 2022. The defendant was also advised that the urine specimen he submitted on February 28, 2022, was confirmed positive for methamphetamine and not amphetamine. After some initial hesitation, the defendant admitted to using methamphetamine before testing on February 28, 2022. The defendant apologized to this

officer for not being forthcoming with
“...striving to exemplify the highest ideals and standards in community corrections.”

his illegal drug use. The defendant attributed his illegal drug use to stress revolving around the pending federal case, his living situation, and the possibility of not seeing his son if incarcerated.

Pretrial Services admonished the defendant for engaging in the illegal use of methamphetamine and informed him that the continued use of narcotics could result in possible revocation of his pretrial release. He was advised that as a corrective and controlling mechanism, Pretrial Services is recommending that he participate in increased individual counseling sessions for substance abuse treatment (3 per month) at Kearley and Schmitt and submit to increased drug tests. The defendant indicated he is amenable to increased counseling sessions, will continue to call for his random drug tests, and report as instructed for his urine analysis.

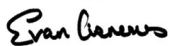
It should be noted, the defendant successfully completed residential substance abuse treatment at Lifetime Recovery in San Antonio, Texas, on July 10, 2021, and was subsequently referred to outpatient services for substance treatment at Kearley and Schmitt. The defendant was initially referred for two (2) individual counseling sessions per month in July 2021 and was reduced to one (1) individual counseling session in February 2022 due to his overall progression in outpatient services. Pretrial Services has conducted monthly treatment staffings with the defendant's counselor who has advised that the defendant actively participates in his treatment sessions.

The U.S. Attorney's Office has been informed of the violation and concurs with the recommendation of Pretrial Services.

This information is being provided to the Court as information only and no action is being requested at this time.

If any further information should be required, please contact this officer at 512-450-8576

Respectfully,



Evan Cisneros
Sr. U.S. Pretrial Services Officer



Amanda R. Ceballos
Supervisory U.S. Pretrial Services Officer

cc: U.S. District Judge U.S. Attorney Defense Counsel

The Court does concur  The Court does not concur _____